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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,857	11/29/2001	Toshihiro Ooishi	49677-107	9693

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Washington, DC 20005-3096

EXAMINER

LOPEZ, CARLOS N

ART UNIT	PAPER NUMBER
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1731

DATE MAILED: 04/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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OOSHI ET AL

49677-107

EXAMINER

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Information Disclosure Statement

The information disclosure statement filed 1/21/04 fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered. "The undersigned certifies that, to the best of his knowledge, each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement..."

The MPEP states that the statement for an IDS filed after a notice of allowance must have the following certification:

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

By placing the qualifier "to the best of his knowledge" applicant is not meeting the required statement according to the MPEP which is to positively state on the record that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. Either applicant meets the requirement or not, irrelevant if applicant is aware "to the best of his knowledge".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lopez whose telephone number is 571.272.1193. The examiner can normally be reached on Mon.-Fri. 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571.272.1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CL

STEVEN P. GRIFFIN

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700